CITY ATTORNEY HITS THE TRUST

Plain Talk on Proposed Franchise.

Submits Report Showing Up Proposed Steal of Light Company.

Document Causes Postponement of One Week of Consideration of Ordinance.

The City Council, without a dissenting vote, last night postponed further consideration of the franchise question for one week. A communication from City Attorney C. C. Dey, printed below, was

When the Fernstrom ordinance, offered at the last meeting, came up in the regu-lar order for second reading, Councilman Wood moved that the matter be laid over

Wood moved that the matter be laid over one week.

Councilman Fernstrom, author of the ordinance and chief champion of the ordinance and chief champion of the Citah Light and Railway company, stated that he favored a postponement. He said that the opinion of the City Attorney showed that some increases in rates had been made and he desired time to look into the questions raised.

Councilman Wella wanted the City Attorney's opinion referred to the committee having the matter in charge, but was surprised to learn that the matter was not before any committee. Those viva voce vote consideration was postponed. The report of City Attorney lies as follows:

Attorney Dey's Opinion.

Attorney Dey's Opinion.

In Re Street Railway Franchises.

The term would be extended an additions

s under one o provision for trackage arrangements other street railway companies to reach important center or terminus' would be mended as to limit the same to interurban

ompanies only.
Rights to construct and operate on atcests
vamed in said proposed franchise, with one exeption, would be additional. As to those, by
indivertence to doubt, the usual conditions
imposed selen to have been overlooked and

In Re Lighting Franchises

company. The term of extension pany. The term of extension with the party-one years under one franchise, selve years under three franchises. Ight years under one franchise, and the term for the orn franchise to the nd the term company would be an additional the Power company would be an additional.

Arriy-four years.
Two of the franchises sought to be extended to the Utah Light and Bailway company, to wit: "A franchise of August 26, 1883, to the Salt Lake City Gas company, also a franchise transled to Sait Lake Power, Light and Heating company, January II, 1881," were religiously in the company of th four existing franchises, vix.

(1.) To the Sait Lake and Ogden Gas and Diectric Light company, of May 35, 1831, as amended March 19, 1895, and December 21,

mmended March 19, 1895, and December 21, 1892.

(2) To R * M. Jones, of July 29, 1892, as amended December 31, 1893.

(3) To S. F. Walker, of December 22, 1893, as amended December 31, 1893.

(4) To Pioneer Electric Power company, of May 27, 1893, as amended December 31, 1893.

These four franchises, upon the incorporation of the Utah Light and Power company, December 20, 1899, passed to and merged in the Utah Light and Power company, December 30, 1899, passed to and merged in the Utah Light and Power company, and thereupon by ordinance of December 31, 1893, the Utah Dewer company was recognized as the owner of said four franchises and operating thereunder 11 thus appears that only four of said six franchises are valid existing franchises, and that said four franchises great the privilege for supplying electric lighting, and all except the Jones franchise for furnishing gas.

Paters and Standard of Service.

Rates and Standard of Service.

Rates and Standard of Service.

By the proposed franchies the rate for natural gas would be advanced from 2h cents per thousand cubic feet under the Walker franchies to 5h cents. Also, the rate for gas for illuminating purposes would be advanced in price from 11.50 per 1000 cubic feet under the Floneer franchies to 51.55. Also, the rate for gas for fuel purposes would be advanced from 11.90 per 1000 cubic feet under the Floneer franchies to 51.50.

Comparison of the maximum rates fixed by proposed ordinance and calving maximum rates for electric lighting service is complicated by reason of different prescribed standards of efficiency both for are and incandescent lightings.

lightings the proposed franchise are light standard the proposed franchise are lamps," while he four cristing franchises sought to be night to standard is "2500 candle power."

For In 455 watt enclosed carbon are lamps to be completed to be a second to the second to t Query: Is 45 wait enclosed carbon are lamp-qual to 1500 candle power? Assuming the same efficiency if have no doubt it is prac-tically the same, by reason of the enclosed length the three will be a reduction from 15 to \$11.25 on all night services and from 16 to \$7.50 on midnight service, with an addi-tional provision for 19 o'clock service for \$5, 1800 a meter rate service at 12 cents per kilo-watt hour, adding, however, an additional charge of \$1.50 per month for care and main-tenance of lamb.

watt hour adding however, an additional charge of this per month for care and maintenance of tamp.

City contract rate for street lighting is exed at maximum of 16 per lamp per month, whereas present rate is 57.

This proposed franchise, as to all are lighting (city and others) contains an entirely new limitation (soon the standard of service, described as 'an average illumination,' up to the standard referred to; that is to say throughout the life of the franchise the average illumination for are lighting shall not be less than 45 watt enclosed carbon are lamp. In the absence of this words "average illumination," which are not to be found in any of the seld existing franchises, probably a uniform chandard voltage, which seems to be the true standard of efficiency, would be implied to be such as would substantially meet and fulfill the requirements as found in said present franchises. White qualified as contained in the present franchise. I do not see how any requirement for a uniform standard voltage or efficiency could be even implied, as the contrary is clearly expressed, viz. "average."

As to maximum rate for incandescent light-

As to maximum rate for incandescent light-

As to maximum rate for locandescent lighting, there is by the proposed franchise a reduction from what equals 20 cents per 1900 wait hears, or one kilewatt hour, as allowed by equivalent terms in all of said four existing franchises, to 12 cents.

By the present franchises the standard of gas to be furnished is designated as being of the best quality and highest efficiency. This proposed franchise opparently limits that standard to natural gas call.

The compulsory discount for payment before the 10th of each month is a new provision not found in existing franchises.

Tals proposed ordinance takes away the right row specifically reserved in some of said franchises for change of rates by Legislature or City Councily and fixes a schedule to retain unchanged unless by arbitration hereafter, depending upon new inventions or improvements materially reducing cost of producing or distributing, the rates are residius is.

half of the minimum rate charged for com-mercial purposes (see Pieneer franchise.) The question arises whether the proposed franchise would not repeal that provision. I am in-clined to the opinion it would.

Free Service to City.

The only changes I note are, limiting the hirty horse-power electric energy now stipulated "for light, heat or power" to power introses only. Also that the existing right to ree use of poins and cross-arms for stringing sires for "municipal purposes" excludes during life of franchise "lighting purposes." A further restriction is impased, prohibiting siry from use of power from waters of Cotonwood creek for "lighting purposes." Again, by this proposed franchise the city vill, without cost, acquire the lands and a clinquishment of water power rights in Cotonwood creek as described in the submitted traft of franchise.

Placing Wires Underground.

The time specified for placing wires under-cound will be extended one year from the

Forfeiture Provisions.

Fortisiture Provisions.

Each and all of the street railway franchises sought to be extended, granting use of streets, contain a forfeiture provision which is not affected by this proposed franchise, but which would not sowe the additional streets or parts of streets for which a franchise will be granted by pussage of this proposed ordinance.

One of the four valid existing franchises for lighting, etc., sought to be extended to the Vitah Light and Railway company, contains a forfeiture clause. Three do not, like does the one to the Utah Power company, nor does the proposed one.

Indefiniteness:

Indefiniteness.

The paragraph (b) headed 'Incandescent Lighting' is not clear to my mind. Just what present standard of efficiency' refers to is indefinite, and I am unable to determine whether, as it reads, it would have the effect of superaeding or limiting the existing prescribed standard of service as found in Pioneer franchise, viz: 'by the best available methods and practice known to science of applied electricity'.

Recapitulation.

Additional rights that would be conferred pon the company: (a.) An extension of time of approximately

An extension of time of approximation a years.

Approxing transfer of tranchises.

Extending two lighting franchises which relinoulshed in 1891.

Limiting right to trackings privileges to arban companies only.

Depriving the Council of its right to not and fix rates for gas and electric merice at a reasonable rate.

Advantage maximum rate for natural and also gas for illuminating and fuel to the council of t

Fermitting are lighting to be supplied a tauls of an "average flumination." Leaving out the standard of service for a now prescribed. In the converge the one-half minimum rate urrehes, public hospitals and public

Prohibiting use of the thirty horse-pow cirical energy for light or heating pur Taking away use of poles and cross-for lighting purposes.

Restricting the city from use of Cotton-creek waters for lighting purposes.

Extending time now prescribed for g wires underground one year.

Incortainty in the standard of efficien-incandescent lighting.

to the Utah Power company, without the Light and Raliway company towner of the stock) being amenable to its previsions

Additional Lights.

Ostani streets.

Stipulations in reference to transfe leges, commutation tickets, and fre-sportation to city policemen and firemen

changes. Respectfully submitted. C. C. DEY, City Attorney.

Visit of the Angels.

President Hewlett, at the opening of the Council meeting, called attention to the coming visit of the Los Angeles City Council and board of trade to Sait Lake, and suggested that some action be taken. Upon motion of Mr. Tuddenham, the matter was referred to the same committee that had charge of the recent Los Angeles trip. This committee consists of Councilmen Hewlett, Precos, Hartenstein, E. H. Davis and A. J. Davis, with Mayor Morris as ex-officio chairmen.

Claim of Moran.

Claim of Moran.

P. J. Moran filed a communication stat-ing that there was due to him on con-tracts for water main and sewer exten-sions, \$2,000, and asking that negotiable notes be issued by the city for the sum. The question was referred to the Water-works, committee, with the Auditor and City Attorney associated.

Ask for Franchise.

Utah Central Railroad company a potition asking for a franchise to ruct a spur track from Fourth West between First South and South ie. It was referred to the Commit-n Streets.

To Repair Canyon Road.

On the recommendation of Land and atter Commissioner Ben D. Luce 200 as appropriated for the repair of the rad in City Creek canyon. The appointment by the Chief of Police J. J. Gilles as special policeman at the D. S. hospital was confirmed.

Salt Palace License.

The Chief of the Fire Department made a report, urging that no license be grant-ed for theatrical performances at the Salt Palace until the fire ordinance is com-illed with. The matter was referred to the License and Fire Department commit-

ees.
Frank Gies was allowed \$100 under his taim for famages to his horse and buggy is a runsway, caused by a street-cleaner imployed by the city.
The request of M. H. Walker and others or changing the plan of improvement on outh Temple street, between Sixth and eventh East streets, was granted.

To Shut Autos From Canyon.

Land and Water Commissioner Luce, in a communication to the City Council, urged that automobiles be prevented from geing along the road in City Creek canyon. He says the driving of automobiles in the canyon made the driving of horses along that thoroughfare dangerous. The matter was referred to the Streets committee.

As to Butchers' License.

As to Butchers' License.

An ordinance by Councilman Hobday, amending the icense ordinance regarding butchers, was passed. It reduces the license for retail butchers from \$20 to \$25, but does not affect the license fees of grocers and other most dealers.

Councilman Tuddenman offered a resolution that Fourth South street, from Main street to Second East, and State street from Fourth South to Fifth South be paved with asphalt, and that the City Engineer be instructed to furnish an estimate of the probable cost. The resolution was adopted.

Repeals Resolution.

Repeals Resolution.

following resolution by Councilm torm was adepted: ernstorm was adepted;
Whireas. The last session of the Legislaure of the State of Utah passed on act which
vas afterwards signed by the Governor of the
itate of Utah, thereby becoming the law of
he State; authorizing the payment for public
improvements in scrip by municipal corpora-

one; and Whereas. The City Council of the City of it Lake has heretofore passed a resolution oviding that one-third of the assessed cost a public improvement should be paid into a City Treasury before the Board of Public

the City Treasury before the Beard of Public Works of said city, should authorize the contractor to proceed with said improvement under his contract; and Whereas, it appears from the passage of the law above mentioned, that this resolution is no longer necessary; therefore, be it Resolved, by 15e City Council of Sait Lake City, That the said resolution be and the same is hereby repealed and declared void and of me effect.

Creates Unfavorable Impression

WARSAW May 22.—Gov.-Gen Maximovitch tonight issued a letter postposing indefinitely the meeting of representative land owners specially invited by him to consider the question of introduction of local self-government in Poland on lines similar to Rossian Zematvoz. The letter gives no explanation of the Governor-General's action and has created an unfavorable impression.

ASSEMBLY TAKES IN CUMBERLANDS

Not a Speech or Vote Against It.

Action Is Taken Amid Perfect Storm of Applause.

Brings Back Branch of Presbyterian Church Which Seceded Nearly a Century Ago.

WINONA LAKE, Ind., May 22.-Amid a torm of applause, without debate or a dissenting voice, the General Assembly of the Presbyterian church today voted to unite with the Cumberland Presbyterian church, which seceded from the general ody February 1, 1810, thereby bringing ogether the two largest branches of the

Details to Be Worked Out.

By the adoption in its entirety of the eport of the special canvassing committee, the assembly ordered that the question as it now stands be referred to the formittee on co-operation, the membership of which was increased to twenty me, with the prevision that it has power o confer with a committee from the Cumeriand body to the end that details of he consolidation may be worked out in a sport to the next General Assembly.

Even Within Level Timits.

Keep Within Legal Limits.

Reep Within Legal Limits.

The committee will consider the corporate and legal rights of both bodies, keeping the consolidation within the legal limits, thereby avoiding civil suits and injunctions. The special committee, in its report on the question of consolidation, canvassed the vote by presbyteries, showing 144 years and 3 mays. Two presbyteries took no action, one gave conditional agrent and five made no report.

Dissenters Made No Fight

The dissenters made No Fight.

The dissenters from the East and South, who apparently made no concerted effort, autside of secret committee meetings, to lefeat consolidation, tonight declare that he General Assembly opened the avenue o defeat by referring to a committee the work of arranging the details of consolidation. It is intimated that the opposition will take the question back to the resolyteries of the Camberland church and ask that it be reconsidered before the summittee on So-operation makes its reon co-operation makes its re

Claim It Meets Their Wishes.

Several of the Eastern dissenters de-clare that the action of the General As-sembly was perfectly in accord with the wishes of the apposition.

The proposed union with the Reformed church the General Synod, was discussed, but no action was taken, pending action by that body, which is in session at New York.

York.

The resolution incorporated in the report of the committee on marriage and divorce, which, among other things, prohibits the marriage of an innocent party to a divorce until after one year has clapsed, was adopted.

Negro Is Discussed.

The negro, his racial rights and alleged criminality, were subjects of discussion by several speakers, following the report of the board of missions for freedmen, Justice John M. Harlan concluded a brief talk with the words: "Let us find nowhere in the reports or deliberations of the General Assembly anything of the criminality of the negro."

The resolutions were adopted without reference in the criminality of the criminality of the region. reference to the criminality of the colored

Revival for San Francisco.

Revival for San Francisco.

The general evangelistic committee organized today by electing John H. Converse, Philadelpola, president; Dr. J. Wilbur Chapman, New York, recording secretary, and Parley Zariman, treasurer, Headquarters will be opened in New York October 1. The committee has accepted invitations to hold a revival in San Francisco. An advisory committee of thirty-two ministers and laymen from Northern cities has been named to support the committee in its efforts.

CUMBERLANDS DEBATE IT.

Majority Report Declares Union Constitutionally Agreed To. FRESNO, Cal., May 27.-The Cumber-

land Presbyterian general assembly is in the midst of a warm debate on the union question. Two reports were presented to the midst of a warm debate on the union question. Two reports were presented to it this afternoon. A majority report, signed by Doctors Templeton and Wigginten and Judgo Beard, gave a complete list of the presbyteries which had voted and declared that the union had been constitutionally agreed to by the Cumberland Presbyterian church and the basis Submit Minority Report.

Elders McClelland and Young submitted minority report. This agreed with the Eiders McClelland and Young submitted a minority report. This agreed with the majority with reference to the facts of the vote, except one presbytery, but claimed that the church has no constitutional fight to unite with another church and that, therefore, the union has not been constitutionally agreed to. It further affirms that the Presbyterian church has not compiled with the terms of agreement with reference to separate presby

Conflicting Telegrams.

At this point an official telegram was received announcing that the northern assembly had declared the union proposition carried in that church and all the conditions compiled with A member then read a personal telegram from Dr. W. Plumber Bryan of Chicago, contradicting the first and declaring that the Presbyterian assembly had indefinitely postponed the subject. Both messages were received with great appliause.

Consent to Full Debate.

Consent to Full Debate.

On a motion to substitute the minority for the majority report. Dr. Templeton of Texas opened the discussion. He was followed by other speakers, the debate lasting until a late hour. It is expected to continue through most of the day tomorrow. The unionists see no need of discussing the matter at all, but have acceded to the demands of the opposition that there shall be a full debate.

Additional speakers on the union proposition: Rev. M. M. Smith, Howling Green, Ky., and Hon. J. J. McClelland, West Point. Miss., spoke against it, contending that the union is unconstitutional. Rev. T. A. Wigginston, Evansville, ind., and Judge E. E. Beard, Lebanon, Tenn., showed that the constitution made express provision for not only amendment, but complete change of confession of faith, and that all steps taken had been in accord with the church constitution. Said the last speaker.

"Let us follow the example of Jefferson, who said 'i will embrace the opportunity' The call to unity is the call of The call to unity is the call of

Oscar Resumes the Throne.

STOCKHOLM, May 22.—King Oscar will resume the direction of state affairs at the end of this week, thus terminating the regency of Crown Prince Gustave, who will proceed to Berlin to attend the wedding of Crown Prince Frederick William.

AMUSEMENTS

SALT LAKE THEATRE-E H. Sothern and Julia Marlowe in "Much Ado About Nothing."

and Julia Marlowe ...

Nothing.

We love not the mighty Shakespears less, but three almighty dellars more. Shall we give this as the reason that there was not a larger house lest night? Whos works of the master dramatist have been presented here by poer players we have been disposed to be proud of the light attendance. On could say that so ardent was the worship o Shakespears in this community that people shrank from hearing his words mangled to unworthy tongues. But what may we see

To see the best Beatrice of the time to see a Benedick of rare gifts to see a sumptious production of the great counsdy in which these characters appear, there was an audience smaller than some that have been seen witsmaller than some that have been seen witnessing the performances of medicority. The ready suggestion that rises when the cause of this is sought is the one of dollars we have mentioned. But people paid \$1 to see a single star last week in ordinary comestics. If they love Shakespeare with all their hearts would they not pay \$3 to see two stars of exceptional magnitude in one of the most brilliant of the world's plays? We see where this line of reasoning is leading, and as we have no right to question the sincerity of those who say they do love Shakespeare, we will not pursue it. And anyway, it a person does not want to pay \$3 to see "Much Ado About Nothing," it is his or her own but.

Ado About Nothing." It is his or her own business.

The audience was not only not large, but it
was not very enthusiastic. This, however, reflects neither on the audience ner the players. The performances was a really great one
and was without doubt bighly enjoyed. But a
house full of people is necessary for purposes
of enthusiasm. Enthusiasm is a contagious
thing that will not appraid well unless it has
plenty of material to work on. You cannot
imagine even a most impressionable individual getting very much enthused witnessies
a play all alone. But put blin with several
hundred other more or less susceptible people
and he will do his share in creating a tumuil. So people last night were content much
of the time to take their enloyment quietly.
And yet, boing real lovers of Shakespeare and
have been there, their dramatic pleasure much
have been of a degree experienced only of
rare occasions. And they applauded enough to
hing the stars before the contain several

bring the sture before the curfain several times.

Much is hoped for from this combination of Mr. Sothern and Miss Marlowe, for the drama in this country. And it is believed that the hope will be in large measure realized. They both show growth. During the years since the was here last. Miss Marlowo, naturally, as developed intellectually and artistically, is the classic drama to which she has required with strength and ambitton, she will indoubtedly continue to advance. Mr. Sothern's rightful place is believed by many to be figher than any position he has yet reached, nil bis autilities fixedly is an emitgent one too well the talents of these two are matched

John Drew, in the "Duke of Killicrankie," oppears as a witty, intellectual British noblem. This faire upon modern English solety, tioged with pathos of romance, will be in an engagement at the Sait Lake Therenext Thursday. The seat safe opens this sorning.

uracy are the special features of the chor-carried out. Then there is an utter lack the boldness which often characterizes ag-cations of older people engaged in the same k, and the pretty, youthful faces of the dren are decidedly refreshing, any who were present last night had seen to Belle of New York' before, but it is bifful if it was half as much chicken.

Many who were present last night had seen the Reile of New York' before, but it is loubtful if it was half as much enjoyed when wesented by an older company. It is a careby nusical comedy, in which a number of new ongs and jokes are introduced. The singing feveral of the principuls last night was especially good and the youngsters were realled in some instances as many as three lines. Frei Polard, who, as Kenneth Mugg, is low comedian, sang the fetching "Kisses y You. Sweetheart," has a rarely pleasing side, and his solo was the musical hit of the rening. Another song which caught the fance, or rather the singer caught the fancy of a guidance. voice, and his solo was the musical hit of the evening. Another song which caught the far cy, or rather the singer caught the farcy, or rather the singer caught the farcy, or rather the singer caught the farcy, or the audience, was "That's How I Love You Mayne" given in most dramatic style he Master Teddy McNamara as Blinky Bill McQuirk to his sweetheart, Manule Clancy, a wir some bit of humanity, Meris Pollarid by name who won the hearts of the audience by he interpretation of the Bowery type. One of the devercest of the little artists is Miss Oilv Moore, who takes the part of Fift Fitot, dainty Parisienie, whose singing of Whe We Are Married" was a feature of the even ing. The fun of the evening was furnished he Master Willie Thompson as Karl von Pumper nick, Master Jack Pollard as Ichabed Brow son and Masters Fred and Jack Holnz as th Counts Ratatto. Miss Evan Moore made charming Violet Gray, a Salvation Army las sie and the belle of New York, She k prest, and graceful and has a sweet voice. Ther were in addition a number of pretty girls in the chorus Attractive scenery and pleasing costumes are other features of this altogethe good production, which will be repeated to night. The company will be at the Grand for the remainder of the week, presenting "Pina fore" at the Wednesday matinee and "A Run away Girl" Wednesday matinee and Thursday within a grand the search was the single when a way Girl" Wednesday and Thursday within a search of the remainder of the week, presenting "Pina fore" at the Wednesday and Thursday within the production of the search was a search way girl" Wednesday and Thursday within the search of the search was a search of the search was a search of the search of the weak of the search was a search of the search o

CONDITIONS UNCHANGED.

Oil Drilling Operations Almost at Standstill in Kansas.

INDEPENDENCE, Kan., May 22 -- In an interview today, Superintendent W. F. Gates of the Prairie Gas and Oil com-Gates of the Prairie Gas and Oil company stated that, notwithstanding recent publications concerning enlargement of the company's facilities, conditions in the oil fields remain practically unchanged. The Prairie Gas and Oil company is tunning about 2,000 barrels of oil a day in Karasa and the Indian Territory, and storage tanks, material for which has been on the ground for some time, continue to be creeted in the Territory.

Drilling operations are almost at a standstill in Kansas and becoming less in the Indian Territory.

Servian Cabinet Again Resigns BELGRADE, Servin, May 22.—The Passie ninistry has resigned. The cabinet, forme becomber 11, 1994, under the premiership d. Passics, resigned February 6 just in consequence of court intrigues against the F mier. The King requested the Ministers rectain office until he had conferred with politicians and the cabinet's resignation

Sigsbee to Start for France

WARHINGTON, May 21 -Orders were ared at the Navy department today di WASHINGTON, May 22.—Orders were pre-pared at the Navy department today direct-ing Reas-Admiral Signbee, whose squadron has been selected for the trip to France to bring to the United States the remains of John Paul Jones to be ready to proceed from New York not later than June 8.

Bingham City Bonds Sold.

TEN THOUSAND deliars worth of bonds the city of Bingham were sold yesterday George E. Chandier. The Issue is for purpose of putting in a water system. ** securities bear 6 per cent.

THIRTEENTH MEET OF MINERS

Delegates Represent 58,000 Workers.

Haywood and Moyer Are in High Favor With the Federation.

Utah Federation Extends Fraternal Hand Regardless of the Edict of President Compers.

With 150 delegates in attendance and more arriving on every train, the thirteenth annual convention of the Western Federation of Minera began at 9 o'clock yesterday morning. It will last for three weeks and will determine the policy for the next year of the 58,000 men who hold membership in its 258 local unions. Every Western State is represented and the influence of the organization extends east to Michigan, north to British Columbia. and south to Old Mexico

Speeches of Welcome.

The business transacted yesterday was the routine incident to the opening of a deliberative assemblage and possesses but little public interest. Speeches of welcome and a response, and the appointment of a committee on credentials summarize the work of the morning session. The delegates got together for an hour in the afternoon, but the credentials committee was not ready to report and adjournment was taken until 9 o'clock this morning. Bit of Good News.

A bit of good news came to the convention at the afternoon session. It was a telegram from Montana saying that the lockout which has been in force against the union miners at Aldrich and Horr since August 20, has been declared off. They now reopen and the miners will be given a slight advance on the old scale. The reading of this dispatch and the taking of a group photograph were the only incidents of the afternoon. Guests of Labor Federation.

At night the delegates became the guests of the Utah Federation of Labor, the Sait Lake central body. The Utah Federation is affiliated with the American Federation of Labor, whose executive head, President Samuel Gompers, has recently withdrawn the hand of fellowship from the miners because of their advocacy of industrial unionism. That this hostility is not shared by the local members of the A. F. of L. was conclusively shown by the fraternal greetings exchanged at the banquet and smoker in Federation hall.

Industrial Movement. Guests of Labor Federation.

Industrial Movement. Industrial Movement.

There is no indication that any considerable number of the miners oppose the industrial movement, and there is ample evidence that the great majority enthusiastically endorses it. The Western Federation will furnish the backbone of the convention to be held in Chicago next month, looking to the organization of labor, not according to trades, but according to industries. Such form of organization has always prevailed in the Western Federation. It receives into membership every man employed in and about the mines and its cards are interchangeable.

Industrial Unionism Extolled.

Industrial Unionism Extolled.

In almost every address heard last the only means by which absolute solid-arity and unity of action can be secured. At the same time not a few of the speak-ers urged the necessity for political ac-tion as a part of the industrial pro-gramme. President Moyer and Secretary Haywood are firmly committed to the policy which was advocated in Sait Lake months ago by Father Haggerty. the only means by which absolute solid

Had a Strenuous Year.

While confessing that the Western Fed-tration has had a stremuous year, its of-ideers deny that the organization has been illurated or even seriously weakened by he Cripple Creek troubles. At present, hey say, Cripple Creek is the only point in the mining country of the West where rouble exists, and they are confident of ultimate victory even in this camp Opinion of Strike-Breakers. "We have been asked," said an organ-zer present at the convention, "to or ganize the new men who were imported by the mine owners. But we do not want them at this stage of the game. The and the maintenance of the strike

is costing the mine operators more money than they care to lose. Moreover, the imported scabs realize that the operators

are absolutely dependent upon them to keep the mines open and are becoming more exacting every day."

Open Meetings Favored.

With the present session of the Federation it is more than likely that a policy of publicity will be adopted instead of the methods of secrecy which have hitherto prevailed. President Moyer is known to favor open meetings both of the conventions and of the local unions. Secrecy, it has been found, does not keep the mineowners from learning all they care to know and, at the same time, gives color to many falsehoods and misrepresentations. A constitutional change will be necessary to authorize open meetings, and this change will have to be made by a referendum vote, so the open-door policy cannot go into effect at the present time in the unions, although unusual publicity will be given to the proceedings of the convention. Open Meetings Favored. conventior

Welcomed to Salt Lake.

Welcomed to Salt Lake.

The gathering is held at the L O. O. F. temple on Market street. President C. H. Moyer was in the chair yesterday morning when the session began. With cordial words of welcome, President H. B. Cromar, of the Utah Federation of Labor, welcomed the miners to the city. J. T. Lavery president of the State Federation of Labor, extended the glad-hand in behalf of the organized workers of the State. President Moyer made the response, speaking for all the visitors. He thanked the Salt Lake gentlemen for their kind words and assured them of the appreciation of the Western Federation. In addressing the convention, President Moyer declared that the desire of the organization is for peace. Education, he said, is the only thing that will solve the present industrial problems. resent industrial problem Credentials Committee Named.

Credentials Committee.

At the conclusion of the speechmaking President Moyer appointed the committee on credentials. He named E. Long, Butte, Mont, I. M. Nelson Deadwood, S. D.; P. T. Mullaney, Victor, Colo; Wellington Beaton, British Columbia, Ole Berg, Idaho, James Wheelan, California, and A. E. Johnson, Arizona.

Banquet and Smoker.

The banquet and smoker tendered by the Utah Federation of Labor to the visitors last evening was arranged by J. N. Spaiding, A. Mutchler snd J. T. Lavery, President H. B. Cromar presided.

They failed to Deliver Bonds

New York Firm Brings Suit on Unfilled Contract for First Mortgage Securities.

NEW YORK, May 22.-Suit was begun here today in the Supreme court by Zim merman & Forshay to recover \$40.081, with interest from June, 1902, from Zimmerman, Dohlgrin & Co., in connection with the ale of first mortgage bonds of the United Railroads of San Francisco. The plaintiffs claim that in March, 1902, the defendants agreed to sell first mortgage bonds of the United Rallway of San Francisco at prices varying from \$35.50 to \$90.50 each. The bonds later were issued, they claim, but the defendants repudiated their contract when the delivery was demanded.

Claim Contracts Terminated.

The defendants deny the allegations rade by the plaintiff. They admit the contracts, but contend that the contracts terminated in accordance with the rules of the stock exchange. They contend that the bonds referred to in the contracts are part of \$15,000,000 now held by Brown Brown as a part of \$35,000,000 of first mortgage bonds issued by the United Railroads of San Francisco early in 1902. Only Five Millions Sold.

Only \$5,000,000 of this issue has been sold, the defendant declares, 35,225,000 being reserved for the purpose of discharging bonds then existing and secured by mortgages upon the property of the San Francisco Railway companies and for the purpose of making future betterments, improvements and acquisition, the remaining \$15,000,000 being held by Brown Bros. Could Not Be Procured. a few of the \$2,000,000 worth of sold have found their way to New They also claim that scores of contracts similar to those made with

bonds sold have found their way to New York. They also claim that scores of other contracts similar to those made with the plaintiffs in this sale were made be-tween other brokers at the same time and still remain unmatured and uncompleted, as at no time prior to the institution of the suit could the bonds be procured for delivery.

Appointed to Fill Vacancy Caused by Tourges's Death.

MURPHY GOES TO FRANCE.

WASHINGTON, May 22-Dominic L. Murphy of the District of Columbia has been appointed Consul to Bordeaux, France, to succeed A. W. Tourges, decensed. Mr. Murphy, who has held the secretary-ship of the Isthmian Canal com-mission, was about to sail for Panama to-

Secretary Taft stated that the vacancy in the secretaryship of the Isthmian Canal commission, caused by Mr. Murphy's appointment to the consular service, will not be filled, the reorganization of the commission and its executive force having made the office an unnecessary one.

THEODORE, JR., COMES WEST

SANTA BARBARA, Cal., May 22.-Stew

rt Edward White, the author, will leave

his Santa Barbara home this week with

Will Be Guest of Stewart Edward White This Summer.

Mrs. White for their summer lodge at North Fork, Madera county, in the Sierra Nevada mountains.

Mr. White will entertain at his North Fork resort this summer Theodore Roosevelt, Jr., son of President Roosevelt, who will spend several weeks in Yosemite with Mr. White Young Theodore will join the party at North Fork July 1.

The treatment accorded by the delegates to President Moyer and Secretary Hay-wood was a sufficient answer to the stories in circulation that the officers have lost the considence of their constituents. When Secretary Haywood entered the hall there was a tremendous outburst of applause, and the appearance of President spplause, and the appearance of President Moyer on the platform was the signal for a similar demonstration. The miners turn instinctively to Mr. Haywood as the man of the hour. The force of his personality permeates the convention, and there is no disguising the great responsibility, the power for good or ill, that rests with him.

Haywood Delivers Address.

Haywood Delivers Address.

Mr. Haywood was called to the platform for an address. He said nothing sensational, but what he did say was practical and to the point. This is a good place, he said, "to say something about industrial unionism. The times demand more unity on the part of the working class. There is a psculiar situation in Cripple Creek. The miners refused to mine ore to go to the mills in Colorado City that refused to concede the eight-hour day. Yet we find union men—good union men—the railroad men, hauling ore from the scab miners in Cripple Creek to the scab mills. There are thousands of men and women There are thousands of men and wom going to work in Chicago every day labor that militates against the success labor that militates against the success of the strike of the garment workers and teamsters for better conditions. If they would stay with the teamsters and gar-ment workers not a wheel would turn until the strike had been settled."

Goes for American Federation.

Goes for American Federation.

The American Federation of Labor, said the speaker, is not a labor movement, but a loose affiliation of separate organizations. He cited the unassisted strike of the Santa Fe telegraphers, which failed, and the present unassisted strike of the boilermakera and machinists, which he regards as foredoomed to fallure, as instances where the workers are beaten in detail. "You can't win anything from a capitalist by looking him in the eye," was one of the numerous epigrams with which the address was interspensed.

Would Control Industries.

Would Control Industries.

Would Control Industries.

In behalf of industrial organization, Mr. Haywood said further: "It is time for the working class to control the industries. When they get control of the industries the capitalist can have his rotten legislatures and his militia. You have an eighthour law in Utah, but in many instances it is not lived up to. The proper place to pass such laws is in the union hall. We believe in an interchangeable working card, so that a man can go from one craft to another without extra cost. We do not believe in fining a man for having once teen a union man." been a union man

Moyer Is Heard.

President Moyer responded to insistent calls and remained on the stand just long enough to say that his throat was in such enough to say that his throat was in such a condition that it would not be fair to himself nor to the organization to tax it by speechmaking. The remainder of the programme consisted of musical selections by the Mandolin club, addresses by J. P. Langford of Park City, J. C. Williams of Celifornia, William Davidson, a member of Parliament in British Columbia: James Kirwin of Terry, S. D.; Dan Eliton of the local Cigarmakers union; Henry T. Scollin of the United Hatters union; Malcolm Gillis of Butts, Matt Wasley of Michigan and Joseph Corby of Butte. Songs were sung by F. P. Foster, R. Welch, John Hodgkins of South Dakota, and a plano solo was given by W. D. Goff.

Had a Good Time.

Had a Good Time.

Fine cigars were furnished for the occa-sion by the three local manufacturers and the members of the Cigarmakers' union, each paying half the cost. Liquid refreshments and sandwiches were served in am-ple quantities. The visitors had a good time—at least, they said they did, and the local unionists ceriainly enjoyed the evening's entertainment.

Today's business before the convention will consist of the appointment of committees and the reading of reports.

To Be Object

MAY BUILD

Commercial Club Construct One

Good Roads Committee ence With Repres ganizer National a

At last the "Good Ro the Commercial cleb har existing. It was app at the suggestion of Ber had suffered more or roads while touring the ests of the Democrac perhaps more acutaly member of the club, the form

"How can a man re nanded Mr. Harris, the condition they are all a man has to win b Reason Unan

Reason Unanter the committee was appointed when the provement of highways to do something town of a satisfactory system the absence of practical committee had no main Then came Wellington Larr for the National Gart for the Committee of the club. Mr. Loucks Bet Mr. Loucks appeared of governors of the cod day and outlined the retional association, it said, to solicit the all of out in forming a brase tion in Utah. He will'n and Provo with a the associations. When the call a State convention

call a State conver

In addition to the be there were present at a Roberts of Logan, as roads bill which was Legislature, and John man of the Commercial on roads. Indorsed Logd

The board not only an ment to the plan propose but instructed the Good to co-operate with him sible, and, in the mean invitation to the officer Good Roads associates, Fortland on a speak by Salt Lake and stay here the company of th

Will Discuss ! The club Committee which consists of Mr. Bransford, H. M. Crowing, J. W. Houston, Edward, G. W. Harris, G. W. Harr

perfected Will Talk to 0 Mr. Loucks went to 0.

where he will appear
of the and explain he
ganization. The date is
appear in Logan and he
heen decided upon. The
heen made that the ka
should be requested to
struction of a mile of
Salt Lake City, as as
people of the State. To
ably he considered by the
commutate.

LIVES LOST IN Several Persons Kill Damage Done to

DALLAS, Tex. MAY 24 jost and serious damage in many sections of Trust errific wind and rain stee terrific wills many sections. Streams and bridges have been in the northwest pair fourteen houses were desired from the Will Townes, and Mrs. Townes was limited to the will dis. Mr. Townes bruises.
At Malone the Christan Manda several other bulling.
At Temple. Berlin Had old colored girl, was tild Waco several houses use.

ZIEGLER SERIE

Arctic Exploration ?

STAMFORD, Cena. er, the premoter of An

CHOATE'S LAST Unveils a Memorial

LONDON, May 21-Dell tay unveiled a memoria lay unveiled a measured in St. Savier's check ward in St. Savier's check presence of a last cam-presence of the America members of the America

Countess Cassi sint, daughter of the sandor to the Luini, see the bassador to the Luini, see the petershure for the Petershure for the Paris to meet carrival.